

## **MEETING MINUTES, PLANNING COMMISSION, AUGUST 25, 2008**

**Present:** Phil Tinkle, Brent Corey, Bettina Settles, Alford Kessinger, Carmen Madsen, Tom Bridges, Mark Richards, City Engineer; Ed Ferguson, Planning Director; Shawna Koons-Davis, City Attorney; Janice Nix, Recording Secretary

The meeting was called to order at 7:18 p.m. by Phil Tinkle, Vice-President.

### **PREVIOUS MINUTES**

August 11<sup>th</sup> – Madsen moved to approve the minutes as mailed, seconded by Settles. Vote for **approval** was unanimous, 7-0. **Motion carried.**

### **OLD BUSINESS**

**Docket PC2008-030 – Change in Commitments – Rocklane Ridge** – 2606 E. Main St. – Request to amend previously approved commitments – Rocklane Properties, LLC, applicant; Joe Calderon, Attorney, representing.

Joe Calderon, Attorney; David Baird; and members of the audience were sworn. Aerial view of proposed site was presented. Calderon reviewed the proposed commitments/changes. A chart comparing petitioner's proposed commitments and the East of 65 property owners group suggestions was presented for the Commission's review. Also presented were proposed commitments for the R-2 Residential area. Presently no commitments have been proposed for this area.

Calderon stated there were several residents (approx. 15) of University Park present who are in favor of the change in commitments. He asked those in attendance to stand up.

Gary Miller, 3033 E. Main, Grwd, came forward. He gave presentation representing the East of 65 property owners group. He stated they are still against changing the commitments until a proposed project is planned so there is something to review. He stated he feels this is a "premature application" for change in commitments. Why don't they wait until they have a proposed project and then ask for change in commitments. Tim Binell, 656 N. Combs Rd., Grwd, came forward. He stated he agrees with Mr. Miller. He felt the proposed commitments are "filled with vagueness" and is in favor of denial of the change in commitments. Mr. Binell stated he did not want another apartment project in the neighborhood.

Calderon came forward for rebuttal. He stated parameters for any development of this property will be set by the commitments. The density proposed is reduced greatly from what the ordinance allows (20 vrs. 12 units per acre). He stated to the Commission that a former partner in the development of the multi-family pulled out of the project and is now a remonstrator.

Miller then came forward for rebuttal. He stated his son's company removed themselves from the multi-family development after CDI decided not to build its duplex area. If CDI builds duplexes, Miller is willing to build the townhomes. Binell came forward. He stated he does not want another Trotter's Pointe to be built on this site. He also asked that no government subsidized housing be allowed.

Kessinger noted that the two sides may never come to agreement completely. Tinkle stated that historically the Commission is presented a concept plan and building plans, etc. prior to consideration of commitments or changes in commitments. He felt he needs to know what the product is going to be. Settles stated should wants to see a proposed plan or product, not have to guess what may be proposed.

Kessinger moved to deny PC2008-030, seconded by Corey. Vote for approval of the motion to **deny** was unanimous, 7-0. **Motion carried.**

## **NEW BUSINESS FROM THE FLOOR**

### **Vacation of platted drainage and utility easement in Block B, Midwest Business Center (Cellofoam Addition)**

Madsen moved to find that the vacation of the platted 20 foot (20') drainage and utility easement located in Block B of Midwest Business Center Subdivision in the City of Greenwood as proposed would not:

1. Hinder the growth or orderly development of the neighborhood in which it is located or to which it is contiguous;
2. Make access to Block B of Midwest Business Center by means of public way, or access to necessary utilities, difficult or inconvenient;
3. Hinder the public's access to a church, school, or other public building or place, or hinder the public's access to utilities; nor
4. Hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous;

that the Commission recommend that the vacation of the 20' platted drainage and utility easement in Block B of Midwest Business Center Subdivision in the City of Greenwood be vacated as proposed; and to authorize the Commission President to execute and deliver a memorandum regarding these findings and this recommendation to the Common Council in the Commission's behalf, seconded by Settles. Vote for **approval** was unanimous, 7-0. **Motion carried.**

### **PC2007-045 – Dayton Freight – Landscape Waiver** – Request for waivers from the requirements of the landscape ordinance regarding general landscaping and parking lot landscape strip plantings

Tom Smelzer, Renier Construction,. came forward and was sworn. A copy of the waiver application and the landscape plan were distributed for commission members to review and consider.

Kessinger moved that the request of Dayton Freight for waivers from the requirements of the Greenwood Landscape Ordinance, Greenwood Municipal Code Article 18. Landscaping Requirements, Sec. 10-472, Subsection 18-06., General Landscaping Requirements, subsection a., that provides for substitutions between shade trees and substitutions between three size classifications of shrubs but does not provide for substitution of trees for shrubs; and Subsection 18-08., Parking Lot Landscaping Requirements, section a. Landscape Strip Along the Right-of-Way, Figure 18.01. Parking Lot Landscaped Strip, Option 1., that specifies quantities of one shade tree and ten medium size shrubs per 35 lineal feet of street frontage, to permit the use of a six (6) foot high earth mound and extra trees (both deciduous and evergreen) instead of the required shrubs, around the perimeter of the property of the Dayton Freight site **be approved** and that the Plan Commission find that Dayton Freight **has met the criteria** set forth by Greenwood Municipal Code Sec 10-472, 18-11 (a) (2) for the waivers, as the site involves site conditions such that full compliance is impossible or impractical, seconded by Corey. Vote for **approval** was unanimous, 7-0. **Motion carried.**

## **ANNOUNCEMENTS/REPORTS**

Madsen moved to adjourn, seconded by Settles. Vote for approval was unanimous, 7-0. Motion carried. Meeting adjourned at 8:23 p.m.

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Janice Nix  
Recording Secretary

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Trent Pohlar  
President